LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A water-based opaque ink coloring composition ~~suitable~~ adapted for use in ~~markers~~ at least one of a wick style and a free ink system writing instrument, said composition comprising:

(a) a carrier comprising water;

(b) a dimethicone copolyol; and

(c) submicron polymeric particles having an outer polymeric shell which defines an inner hollow region,

wherein said composition does not contain either titanium dioxide or a neutral buoyancy additive and wherein at least the dimethicone copolyol and the polymeric particles are cohesively bonded to one another to provide a ~~substantially~~ homogeneous non-settling ink composition .

2. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are modified with compounds selected from the group consisting of dyes, pigments, and mixtures thereof.

3. (Original) The water-based coloring composition of claim 1, wherein the inner hollow region of said submicron polymeric particles contains water.

4. (Original) The water-based coloring composition according to claim 1, wherein said submicron polymeric particles are microspheres.

5. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are in the form of styrene/acrylic emulsion.

6. (Original) The water-based coloring composition of claim 1, wherein said submicron polymeric particles are present in an amount from about 5% by weight to about 80% by weight of the coloring composition.

7. (Original) The water-based coloring composition of claim 1, wherein said water is deionized water.

8. (Original) The water-based coloring composition of claim 1, wherein said water is present in an amount from about 3% by weight to about 50% by weight of the coloring composition.

9. (Original) The water-based coloring composition of claim 1, wherein said coloring composition has a density of about 8.0 lbs/gal to about 9.0 lbs/gal.

10. (Original) The water-based coloring composition of claim 7, wherein said coloring composition has a viscosity of from about 1 to about 20 centipoises.

11. (Original) The water-based coloring compositions according of claim 1, further comprising a colorant.

12. (Original) The water-based coloring compositions of claim 11, wherein said colorant is selected from the group consisting of dyes, pigments, and mixtures thereof.

13. (Original) The water-based coloring compositions of claim 1, further comprising a humectant.

14. (Original) The water-based coloring compositions of claim 13, wherein said humectant is a glycol.

15. (Original) The water-based coloring compositions of claim 1, further comprising a surfactant that serves to lower surface tension and provide flow.

16. (Original) The water-based coloring compositions of claim 15, wherein said surfactant is in the form of anionic, or non-ionic fluorocarbon.

17. (Original) The water-based coloring composition of claim 1, further comprising a dispersing agent.

18. (Original) The water-based coloring compositions of claim 1, further comprising a pH adjustor.

19. (Original) The water-based coloring compositions of claim 1, further comprising an alcohol or coalescent to improve drying speed.

20. (Original) The water-based coloring composition of claim 1, further comprising a release agent.

21. (Previously Presented) The water-based coloring composition of claim 1, wherein said dimethicone copolyol is a silicone copolymer.

22. (Canceled)

23. (Currently Amended) A marking instrument selected from among wick style and free ink system writing instruments for applying an opaque ink coloring composition, comprising a nib and a reservoir, wherein said reservoir contains a water-based opaque ink coloring composition adapted for use in at least one of said wick style and a free ink system writing instruments, said composition comprising:

(a) a carrier comprising water;

(b) a dimethicone copolyol; and

(c) submicron polymeric particles having an outer polymeric shell which defines an inner hollow region,

wherein said composition does not contain either titanium dioxide or a neutral buoyancy additive and wherein at least the dimethicone copolyol and the polymeric particles are cohesively bonded to one another to provide a ~~substantially~~ homogeneous non-settling ink composition .

24. (Original) The marking instrument of claim 21, wherein said water-based opaque ink coloring composition is in a filler material.

25. (Original) The marking instrument of claim 21, wherein said water-based opaque ink coloring composition is free and not in a filler material.